

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
TODD COREY BREWSTER,
Defendant.

Case No. 2:20-cr-00099-KJD-NJK

FINDINGS OF FACT
CONCLUSIONS OF LAW AND
ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel needs additional time with Mr. Brewster to prepare for his change of plea and presentencing issues. In addition, Mr. Brewster needs additional time to address pending state cases.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

1 **CONCLUSIONS OF LAW**

2 The ends of justice served by granting said continuance outweigh the best
3 interest of the public and the defendant in a speedy trial, since the failure to grant
4 said continuance would be likely to result in a miscarriage of justice, would deny
5 the parties herein sufficient time and the opportunity within which to be able to
6 effectively and thoroughly prepare for trial, taking into account the exercise of due
7 diligence.

8 The continuance sought herein is excludable under the Speedy Trial Act,
9 Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the
10 factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

11 **ORDER**

12 IT IS THEREFORE ORDERED that the change of plea hearing currently
13 scheduled for Tuesday, January 11, 2022 at 9:30 a.m., be vacated and continued
14 to February 15, 2022 at the hour of 9:30 a.m. by video conference.

15 DATED this 10th day of January, 2022.

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18 UNITED STATES DISTRICT JUDGE